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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/744,351	05/10/2001	Milivoj Vujic	P24,748 USA	5172

7590 10/03/2006

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EXAMINER
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HOOK, JAMES F

ART UNIT	PAPER NUMBER
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3754

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/744,351	<b>Applicant(s)</b> VUJIC ET AL.	
	<b>Examiner</b> James F. Hook	<b>Art Unit</b> 3754	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 January 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2 and 19-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 19-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>5/14/01; 8/5/02; 2/24/03</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 19-21, 23-25, 30-33, 35, and 36 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Shahan.

Claims 1, 23, 24, and 32 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Commins.

Claims 1, 21, 23, 32, 35, and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Aldrich. The patent to Aldrich discloses the recited insulation module for a process vessel such as a boiler for containing a material to be maintained within a controlled temperature including an externally mounted pre fabricated panel having integrally formed therein an outer surface H, a thermal insulation G which opposes a portion of the outer wall of the vessel A, mounting means comprising a fastening system which includes threaded bolts L provided with a metal layer B and spacers to space the insulation from the vessel attaching it to this vessel and providing structure to contain the insulation, there are fixing screw in the form of threaded bolts L, the insulation layer is adhered to the outer panel, and a method of applying the insulation to a cylindrical vessel.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shahan in view of Rutter. The patent to Shahan discloses all of the recited structure with the exception of providing a fast connector to hold the insulation panel in place and using fiberglass insulation. The patent to Rutter discloses that it is old and well known in the art to use a fast connector such as shown in figure 1a to hold insulation in place where such is equivalent to a bolted structure, and that fiberglass can be used as the insulation material used. It would have been obvious to one skilled in the art to modify the connectors in Shahan by substituting a fast connector for the threaded bolt connector to allow for faster installation of the insulation, and to use fiberglass as the insulation material where such is a known insulation material as suggested by Rutter where such would provide an insulation material that is equivalently used in other insulated systems.

Claims 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shahan in view of Glasoe. The patent to Shahan discloses all of the recited structure with the exception of providing brackets on the vessel to attach the insulation panels to. The patent to Glasoe discloses that it is old and well known to provide a vessel with a plurality of brackets 22 to attach insulation panels thereto. It would have been obvious

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to one skilled in the art to provide the insulation system of Shahan with a plurality of brackets provided on the vessel to attach the insulation panels to as suggested by Glasoe where such would better protect the vessel from damage as the panels are being installed thereby saving repair costs.

Claim 34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shahan in view of Matthews. The patent to Shahan discloses all of the recited structure with the exception of providing an acrylic emulsion in the insulation. The patent to Matthews discloses that it is old and well known to provide insulations with an acrylic emulsion to protect the insulation. It would have been obvious to one skilled in the art to modify the insulation in Shahan to be an insulation provided with an acrylic emulsion as suggested by Matthews where such would prevent premature failure of the insulation and save replacement costs.

### ***Conclusion***

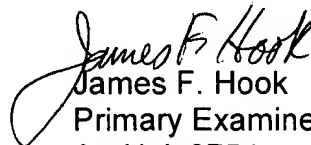
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The patents to Johnson, Kettlewell, Blomeley, Hill, Steinberger, Schroter, Clark, Meechan, and Sommerer disclosing state of the art insulation systems.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James F. Hook whose telephone number is (571) 272-4903. The examiner can normally be reached on Monday to Wednesday, work at home Thursdays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Shaver can be reached on (571) 272-4720. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
James F. Hook  
Primary Examiner  
Art Unit 3754

JFH